

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Joan B. Gottschall	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 7264	DATE	1/14/2008
CASE TITLE	Selena Davis vs. Chicago Public Schools, et al.		

DOCKET ENTRY TEXT

Plaintiff's application to proceed *in forma pauperis* [4] is granted. Plaintiff's motion for appointment of counsel [5] is denied without prejudice. Status hearing is set for 2/27/2008 at 9:30AM. Parties are directed to discuss settlement of case, consent to proceed before the Magistrate Judge and a proposed discovery plan.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Before the court are plaintiff's application to proceed *in forma pauperis* and motion for appointment of counsel.

Plaintiff's application to proceed *in forma pauperis* is granted. Davis's financial affidavit indicates that she has been unemployed since November of 2005 and receives \$154.00 (presumably per month) in public aid. She has no assets. Based on this, the court concludes Davis should be accorded pauper status.

Davis's motion for appointment of counsel is denied without prejudice. A threshold inquiry when deciding whether to grant a request for appointment of counsel is whether the plaintiff "has made reasonable efforts to retain counsel and was unsuccessful or [whether she] was effectively precluded from making such efforts." *Jackson v. County of McLean*, 953 F.2d 1070, 1073 (7th Cir. 1992). Here, Davis's motion for appointment of counsel makes no mention of any attempts she has made to retain an attorney. Moreover, since the defendants have yet to respond to the plaintiff's complaint, the court is not in a position to determine whether the legal issues presented in this litigation are sufficiently complex to warrant the appointment of counsel. After the defendant has answered or otherwise pled in response to the complaint, plaintiff may file another motion for appointment of counsel. Any such motion, however, must include a statement of her efforts to retain counsel.

Courtroom Deputy

RJ/UA